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VIA ECF

July 29, 2021

Re: *Nils Mölder v. Ubiquiti Inc., Robert J. Pera, and Kevin Radigan, No. 1:21-cv-04520-DLC*

Hon. Denise L. Cote
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Dear Judge Cote:

We represent Defendants Ubiquiti Inc., Robert J. Pera, and Kevin Radigan (collectively “Defendants”), in the above-referenced matter. We write, pursuant to Rule 1.E of Your Honor’s Individual Practices in Civil Cases, regarding Defendants’ response date for the complaint filed in this action.

By way of background, Plaintiff Nils Mölder filed his putative Class Action Complaint (the “Initial Complaint”), Dkt. 1, on May 19, 2021. Defendants all agreed to waive service on June 2, 2021. Accordingly, Defendants’ default date to respond to the Initial Complaint is August 2, 2021.

On May 20, 2021, Your Honor issued an Order (Dkt. 5) setting forth a process and timetable for the appointment of lead plaintiff(s). Pursuant to that Order, on July 19, 2021, both Nils Mölder, and another putative class member, Irit Lukomski, filed motions to be appointed as the lead plaintiff. Dkt. 7-11. On July 23, 2021, plaintiffs jointly submitted a proposed order requesting that Mölder and Lukomski be appointed as co-lead plaintiffs. Dkt. 15. No other parties have filed applications to serve as lead plaintiffs. A conference to address the appointment of lead plaintiff and lead counsel is set for tomorrow, July 30. See Dkt. 5.

Proposed co-lead plaintiffs have informed Defendants that, should this Court appoint them as co-lead plaintiffs, they intend to file an amended complaint. To preserve resources and to promote efficiency, the parties jointly propose that rather than respond to the Initial Complaint by August 2, 2021, Defendants should instead respond to the forthcoming

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amended complaint pursuant to a briefing and amendment schedule set by the Court after Your Honor resolves plaintiffs' pending motions for appointment of lead plaintiff.

Accordingly, Defendants respectfully request that the Court confirm that Defendants need not respond to the Initial Complaint and that Defendants shall instead respond to Plaintiffs' forthcoming amended complaint after it is filed. This is Defendants' first request pursuant to Rule 1.E of Your Honor's Individual Practices. Counsel to Plaintiff and lead plaintiff movants consent to this request.

Respectfully submitted,

/s/ Peter E. Kazanoff

Peter E. Kazanoff

cc: All Counsel of Record (via ECF)